

By: Cook

H.B. No. 3735

A BILL TO BE ENTITLED

AN ACT

relating to cooperation with federal agencies on a guest worker program in this state.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. This Act shall be known as the "Texas Needs Workers Act."

SECTION 2. Chapter 751, Government Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. COOPERATION WITH FEDERAL GOVERNMENT FOR GUEST WORKER PROGRAM

Sec. 751.051. GUEST WORKER PROGRAM. (a) The office, in consultation with the Texas Workforce Commission and with the assistance of the attorney general, shall seek to enter into a memorandum of understanding or other agreement with the appropriate federal agency to authorize or grant a waiver for a guest worker program to be implemented in order to bring skilled and unskilled workers into this state during periods of time when no Texan workers are available to fill open employment positions. The proposed program would:

(1) be self-funding through individual and employer participation;

(2) require applicants to:

(A) pass a criminal background check;

(B) register with the appropriate state and

1 federal agencies certifying the applicant's immigration status;

2 and

3 (C) submit proof of health insurance coverage

4 provided by the applicant's employer or purchased by the applicant;

5 (3) limit participation to employers that deduct and

6 match payroll taxes; and

7 (4) provide for a tamper-proof identification card for

8 program participants that would assist in monitoring any criminal

9 and civil court appearances.

10 (b) The identification card required by Subsection (a)(4)

11 must include the applicant's personal information, photograph,

12 fingerprint, and visa number and have an expiration date.

13 (c) Any guest worker program implemented by this state must

14 comply with any applicable federal guidelines by having a federal

15 waiver or other authorization for the program.

16 SECTION 3. This Act takes effect immediately if it receives

17 a vote of two-thirds of all the members elected to each house, as

18 provided by Section 39, Article III, Texas Constitution. If this

19 Act does not receive the vote necessary for immediate effect, this

20 Act takes effect September 1, 2015.